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JAN 31 2008

January 31, 2008

Via ECF and Facsimile

Hon. William H. Pauley III
U.S. District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: American Beer Distributors v. Shelton Brothers, Inc.
Case No. 07-cv-8397 (WHP)

Dear Judge Pauley:

This firm represents American Beer Distributors Co., Inc. ("Plaintiff") in the above-referenced matter. On December 17, 2007, the parties respectfully requested an adjournment of Initial Case Management Conference scheduled for Friday, December 21, 2007 at 10:45 a.m. as the parties have reached an agreement to settle this matter. In response to that request, on December 20, 2007, Your Honor issued an order discontinuing the action without costs to any party, and without prejudice to restoring the action to this court's calendar if the application to restore is made within forty-five days (45) of the date of the Order.

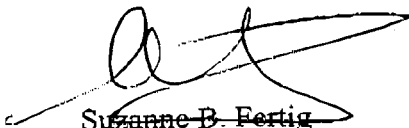
As of this date, the parties have been unable to enter into a formal settlement agreement. Accordingly, Plaintiff hereby requests that this action be restored to this Court's calendar.

Thank you for your consideration of this matter.

SO ORDERED:

Respectfully yours,


WILLIAM H. PAULEY III U.S.D.J.


Suzanne B. Fertig

SBF/st

cc:

A pre-trial conference shall take place
George F. Carpinello, Esq. (via facsimile (518) 434-0665)

Feb 13, 2008 at 11:30 a.m.